



95 / 3736#
2
Docket No. GYN0090

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gene W. Kammerer et al.

Serial No. : 09/873,571

Art Unit: 3736

Filed : June 4, 2001

Examiner: John P. Lacyk

For : Surgical Method and Instrument For Treating Female
Urinary Incontinence

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Melissa J. Szanto
(Name of applicant, assignee, or Registered Representative)

Melissa J. Szanto
(Signature)

12/10/04
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure
Statement mailed on August 30, 2001.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37
C.F.R. §§1.97-1.98, information relating to the above-
identified application is hereby disclosed. Inclusion of
information in this statement is not to be construed as an
admission that this information is material as that term is
defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the
patentability of the claimed invention over any of the
information provided herewith, and/or to prove that this
information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with \$1.97(e) (attached); or
- ☒ Please charge Deposit Account No. 10-0750/GYN0090/MJS the fee of \$180.00 as set forth in \$1.17(p).

☐ In accordance with \$1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under \$1.113 or a Notice of Allowance under \$1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with \$1.97(e) as set forth below and the fee of \$180.00 as set forth in \$1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: DE 4334419 - see English abstract; SE 503271 - see WO96/06567;

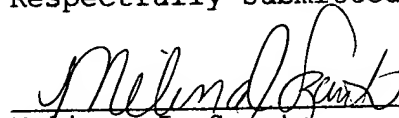
☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed 08/30/2001.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/GYN0090/MJS. This form is submitted in triplicate.

Respectfully submitted,

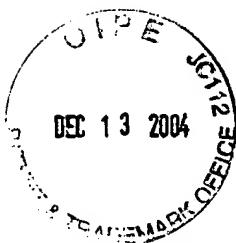


Melissa J. Szanto
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DATED:

12/10/04



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 7

Application Number	09/873,571
Filing Date	June 4, 2001
First Named Inventor	Gene W. Kammerer
Group Art Unit	3736
Examiner Name	Lacyk, John P.
Attorney Docket Number	GYN0090

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		3182662		Shirodkar	05-11-1965	
		3212502		Myers	10-19-1965	
		3311110		Singerman	03-28-1967	
		3372695		Beliveau, et al.	03-12-1968	
		3472232		Earl	10-14-1969	
		3608095		Bary	09-28-1971	
		3763860		Clarke	10-09-1973	
		3858783		Kapitanov, et al.	01-07-1975	
		3924633		Cook, et al.	12-09-1975	
		4037603		Wendorff	07-26-1977	
		4128100		Wendorff	12-05-1978	
		4235238		Ogiu et al.	11-25-1980	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵				
		AU	278089	B	Ethicon, Inc.	06-03-1965		X
		AU	441561	B	Ethicon, Inc.	01-06-1972		X
		DE	4334419	A1	Univ. of Freiburg Klinikum	04-13-1995	English Abstract	
		EP	0598976	B1	American Cyanamid Co.	06-01-1994		X
		EP	0941712	A1	Gil-Vernet Vila	09-15-1999		X
		EP	1025811	A2	Medtronic Inc.	08-09-2000		X
		SE	503271	C2	Medscand AB	04-29-1996	See WO96/06567	

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Number	Kind Code ² (if known)			
		4392495		Bayers	07-12-1983	
		4441497		Paudler	04-10-1984	
		4509516		Richmond	04-09-1985	
		4549545		Levy	10-29-1985	
		4946467		Ohi, et al.	08-07-1990	
		5013292		Lemay	05-07-1991	
		5032508		Naughton, et al.	07-16-1991	
		5080667		Chen, et al.	01-14-1992	
		5180385		Sontag	01-19-1993	
		5250033		Evans, et al.	10-05-1993	
		5281237		Gimpelson	01-25-1994	
		5368595		Lewis	11-29-1994	

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		Office ³	Number ⁴	Kind Code ⁵				
		WO	0238079	A2	Ethicon GmbH	05-16-2002		X
		WO	9003766	A1	Petros	04-19-1990		X
		WO	9606567	A1	Medscand AB	03-0-1996		X
		WO	9713465	A1	Medscand Medical	04-17-1997		X
		WO	9831301	A1	Lenadora	07-23-1998		X
		DE	10103179	A1	Sofradim Production	07-26-2001		X
		DE	4220283	A1	Singer Spezialindadelfab	12-23-1993		X

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Sheet 3 of 7

Application Number	09/873,571
Filing Date	June 4, 2001
First Named Inventor	Gene W. Kammerer
Group Art Unit	3736
Examiner Name	Lacyk, John P.
Attorney Docket Number	GYN0090

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		Number	Kind Code ² (if known)			
		5368756		Vogel, et al.	11-29-1994	
		5382257		Lewis, et al.	01-17-1995	
		5383904		Totakura, et al.	01-24-1995	
		5403328		Shallman	04-04-1995	
		5450860		O'Connor	09-19-1995	
		5507796		Hasson	04-16-1996	
		5582188		Benderew	12-10-1996	
		5611515		Benderew, et al.	03-18-1997	
		5628756		Barker, Jr., et al.	05-13-1997	
		5645568		Chervitz, et al.	07-08-1997	
		5741299		Rudt	04-21-1998	
		5816258		Jervis	10-06-1998	

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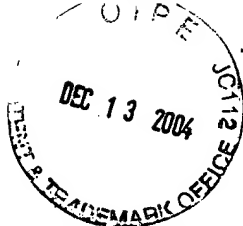
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		Office ³	Number ⁴	Kind Code ⁵				
		WO	02/28312	A	Sofradim Production	04-11-2002	English Abstract	
		WO	2004/012626	A1	Fin Med S.A.S. Di Grondelli & Co.	02-12-2004		X
		WO	01/06951	A1	Angiologiva B.M.S.R.L.	02-01-2001		X
		EP	0 774 240	A1	Ethicon, Inc.	05-21-1997		X
		EP	0668 056	A1	Smith & Nephew Dyonics Inc.	08-23-1995		X
		DE	32 23 153	C	B. Braun Melsungen AG	08-11-1983	English Abstract	

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Sheet 4 of 7

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First Named Inventor	Gene W. Kammerer
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		Number	Kind Code ² (if known)			
		5836315		Benderev, et al.	11-17-1998	
		5840011		Landgrebe, et al.	11-24-1998	
		5855549		Newman	01-05-1999	
		5860425		Benderev, et al.	01-19-1999	
		5935122		Fourkas, et al.	09-10-1999	
		5945122		Abra, et al.	08-31-1999	
		5997554		Thompson	12-07-1999	
		6110101		Tihon, et al.	08-29-2000	
		6117067		Gil-Vernet	09-12-2000	
		6221005		Bruckner, et al.	04-24-2001	
		6306079		Trabucco	10-23-2001	
		6334446		Beyar	01-01-2002	

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Sheet 5 of 7

Application Number	09/873,571
Filing Date	June 4, 2001
First Named Inventor	Gene W. Kammerer
Group Art Unit	3736
Examiner Name	Lacyk, John P.
Attorney Docket Number	GYN0090

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		Number	Kind Code ² (if known)			
		6382214		Raz, et al.	05-07-2002	
		6475139		Miller	11-05-2002	
		6491703		Ulmsten	10-10-2002	
		2001/0018549		Scetbon	08-30-2001	
		2001/0049467		Lehe, et al.	12-06-2001	
		2002/0028980		Thierfelder, et al.	03-07-2002	
		2002/0058959		Gellman	05-16-2002	
		2002/0077526		Kammerer, et al.	06-20-2002	
		2002/018869		Kammerer, et al.	12-12-2002	
		2003/0023138		Luscombe	01-30-2003	
		2003/0149440		Kammerer, et al.	08-07-2003	
		2003/0176762	A1	Kammerer	09-18-2003	

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Sheet 6 of 7

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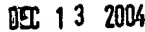
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Attorney Docket Number	GYN0090

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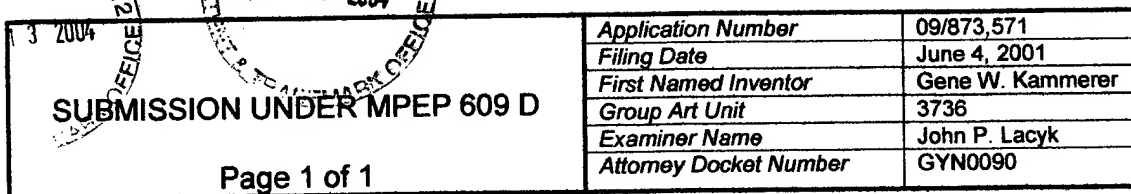
Examiner Signature		Date Considered	
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